S.B. Civil Writ Petition NO.2777/2005

Lrs of Jiyaram & Ors.

vs

Kana ram & Anr.

DATE OF ORDER : - 13.5.2005.

HON'BLE MR. PRAKASH TATIA,J.

Mr.AK Acharya, for the petitioner.

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Heard learned counsel for the petitioner.

The petitioner is aggrieved against the order dated 7.2.2005 by which the trial court dismissed the petitioner's application filed under Order 7 Rule 11 CPC raising objection about the civil court's jurisdiction.

According to learned counsel for the petitioner, the plaintiff filed the suit for partition of the properties, which includes revenue land also and in view of the Section 207 of the Rajasthan Tenancy Act, the Civil court has no jurisdiction to grant any relief of partition of the agricultural land. The submissions of learned counsel for the petitioner referred above are just contrary to the law laid down by this Court in the case delivered in Janki Devi VS. Maniram reported in 2000(3) RLW

268 relied upon by learned trial court.

Therefore, I do not find any merit in this writ petition and the same is hereby dismissed.

(Prakash Tatia), J.

c.p.goyal/-